

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RICHARD SMITH,

Index No.: 5:05-cv-0957

Plaintiff,

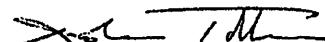
-vs.-

NOVELIS INC., ALCAN
ALUMINUM CORP.; LIBERTY
LIFE ASSURANCE CO. OF
BOSTON and LIBERTY MUTUAL
Defendants

**STIPULATION OF
DISCONTINUANCE**

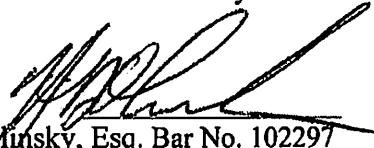
IT IS HEREBY STIPULATED AND AGREED, by and between the parties, Plaintiff Richard Smith, and Defendants Novelis Inc. Alcan Aluminum Corp., Liberty Life Assurance Co of Boston and Liberty Mutual., through the undersigned attorneys of record, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that the captioned action is dismissed with prejudice.

Dated: 2/2/2010


John C. Tillman, Esq. Bar No. 301241
Novelis Corporation
6060 Parkland Blvd.
Mayfield Heights, Ohio 44124

Attorney for Defendants
Novelis Inc. Alcan Aluminum Corp.,
Liberty Life Assurance Co of Boston
and Liberty Mutual

Dated: 1/22/09


Howard D. Olinsky, Esq. Bar No. 102297
Olinsky & Shurtliff
300 South State Street
Syracuse, New York 13202

SO ORDERED: John P. Bates

USM/T

2/22/10

Attorney for Plaintiff Richard Smith